

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE APRIL 4, 2006

SENATE BILL

No. 1673

Introduced by Senator Kuehl

February 24, 2006

An act to add ~~Section 5009.4~~ *Sections 5009.4 and 5009.5* to the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1673, as amended, Kuehl. State parks: funding.

Under existing law, the Department of Parks and Recreation within the Resources Agency administers the operation of state parks in the state. Existing law authorizes the department to enter into an agreement to accept funds from any person, corporation or other business entity, or organization for the maintenance or operation, on a nonprofit basis, of a designated state park system unit or facility, or to accept services for the cleanup, repair, or enhancement of a designated state park system unit or facility.

This bill would authorize the Department of Parks and Recreation to fund ongoing maintenance and operation of the state park system with public funds or by obtaining funds through philanthropic support and private-public partnerships to the state park system *provided certain conditions are met*.

The bill would require the department annually to report to the Legislature on the use of each incidence of philanthropic support and each private-public partnership, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) California's state parks help preserve the state's
4 extraordinary biological diversity, protect its most valued natural
5 and cultural resources, and create opportunities for high-quality
6 outdoor recreation.

7 (b) The Department of Parks and Recreation manages 278
8 parks that cover approximately 3,800 miles of trails, 300 miles of
9 coastline, 800 miles of lake and river frontage, and about 14,800
10 campsites. Annually, more than 75 million people visit our state
11 parks.

12 ~~(c) Given the value of state parks to the state's residents and~~
13 ~~natural resources, it is the intent of the Legislature to ensure that~~
14 ~~adequate funding exists to cover actual costs of ongoing~~
15 ~~maintenance and operation of the state park system.~~

16 SEC. 2. Section 5009.4 is added to the Public Resources
17 Code, to read:

18 5009.4. The department may fund ongoing maintenance and
19 operation of the state park system with public funds or by
20 obtaining funds through philanthropic support and private-public
21 partnerships to the state park system, *provided both of the*
22 *following conditions are met.*

23 (a) *Each incidence of philanthropic support is accepted and*
24 *each private-public partnership is consummated upon statutory*
25 *approval of the Legislature.*

26 (b) *The department adopts regulations addressing all of the*
27 *following issues:*

28 (1) *The extent to which a philanthropic donor may direct state*
29 *use of his or her support.*

30 (2) *The extent to which the Legislature may exercise control*
31 *over the use and appropriation of donated funds.*

32 (3) *The circumstances under which a private-public*
33 *partnership may be in the best interest of the department's*
34 *stewardship responsibilities.*

35 (4) *The circumstances under which the department may accept*
36 *a donation that obligates the state to a continuing financial*
37 *commitment.*

1 (5) *The extent to which a donor or partner may receive*
2 *preferences, privileges, or benefits from the state park system.*

3 SEC. 3. *Section 5009.5 is added to the Public Resources*
4 *Code, to read:*

5 5009.5. (a) *If the department accepts philanthropic support*
6 *or enters into a private-public partnership pursuant to Section*
7 *5009.4, it shall report to the Legislature on the use of the support*
8 *and partnership on January 10 of each year, beginning in 2008.*

9 (b) *The annual report shall analyze the fiscal effect of each*
10 *incidence of support and each private-public partnership and*
11 *shall include, but not be limited to, consideration of both of the*
12 *following:*

13 (1) *The extent the incidence of support or the private-public*
14 *partnership has furthered the stewardship mission of the state*
15 *park system.*

16 (2) *The extent the incidence of support or the private-public*
17 *partnership has replaced state funding.*